



January 23, 2015

HOUSE BILL No. 1236

DIGEST OF HB 1236 (Updated January 21, 2015 4:32 pm - DI 75)

Citations Affected: IC 32-21.

Synopsis: Political activity on homeowners association property. Provides that the statute that prohibits a homeowners association from adopting or enforcing a rule or covenant that prohibits candidates and officeholders from entering the property to conduct political activity does not apply to homeowners association property if: (1) access to the property from the outside is controlled; and (2) the common areas, including roads and sidewalks, are privately owned and maintained.

Effective: July 1, 2015.

Slager, Olthoff

January 13, 2015, read first time and referred to Committee on Elections and Apportionment.
January 22, 2015, reported — Do Pass.

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January 23, 2015

First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1236

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 32-21-13-7, AS ADDED BY P.L.73-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 7. **(a) This section does not apply to**
4 **homeowners association property if:**
5 **(1) access to the property from the outside is controlled by**
6 **gates or other means; and**
7 **(2) the common areas, including roads and sidewalks, are**
8 **privately owned and maintained.**
9 ~~(a)~~ **(b)** As used in this section, "homeowners association property"
10 refers to real property owned by any of the following:
11 (1) A member of the homeowners association.
12 (2) The homeowners association.
13 (3) The members of the homeowners association in common.
14 ~~(b)~~ **(c)** A homeowners association may not adopt or enforce a rule
15 or covenant that prohibits, or has the effect of prohibiting:

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- 1 (1) a candidate;
- 2 (2) an individual who holds an elected office;
- 3 (3) the spouse of a candidate or individual who holds an elected
- 4 office; or
- 5 (4) a volunteer worker of a candidate or individual who holds an
- 6 elected office;
- 7 from entering onto homeowners association property for purposes of
- 8 conducting political activity.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1236, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1236 as introduced.)

SMITH M

Committee Vote: Yeas 13, Nays 0

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